



DOCKET NO: L00461.70105.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yao-Tseng Chen, et al.
Serial No: 09/849,602
Confirmation No: 8884
Filed: May 4, 2001
For: COLON CANCER ANTIGEN PANEL
Examiner: Ly, Cheyne D.
Art Unit: 1631

RECEIVED

JUL 22 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 5th day of February, 2003.


June Watson

Commissioner for Patents
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Yao-Tseng Chen, et al., Applicant


John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. L00461.70105.US

Date: February 5, 2003

xNDD

O I P E
PATENT TRADE
JUL 18 2003

FORM PTO-1449/A and B (Modified)

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Sheet 1 of 2

APPLICATION NO.: 09/849,602

ATTY. DOCKET NO.: L00461.70105.US

FILING DATE: May 4, 2001

CONFIRMATION NO.: 8884

APPLICANT: Yao-Tseng Chen, et al.

GROUP ART UNIT: 1631

EXAMINER: Ly, Cheyne D.

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	4,816,567	B1	Cabilly, et al.	03-28-1989
	A2	5,225,539	B1	Winter	07-06-1993
	A3	5,585,089	B1	Queen, et al.	12-17-1996
	A4	5,693,762	B1	Queen, et al.	12-02-1997
	A5	5,804,381	B1	Chen, et al.	09-08-1998
	A6	5,859,205	B1	Adair, et al.	01-12-1999
	A7	5,962,256	B1	Moore, et al.	10-05-1999
	A8				
	A9				

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	99/04265	A2	Sahin, et al.	01-22-1999	
	B2	WO	99/14326	A1	Ludwig Inst Cancer Res	03-25-1999	
	B3	WO	99/60986	A2	Merck Frosst Canada Inc	12-02-1999	
	B4						
	B5						
	B6						

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	CHEN, et al. (1997) Proc Natl Acad Sci USA 94:1914-1918.	
	C2	CLARK, et al. (1994) Nature Genetics 7(4):502-508.	
	C3	CREW, et al. (1995) EMBO J. 14(10):2333-2340.	
	C4	DING, et al. (1994) Biochem Biophys Res Commun. 202(1):549-555.	
	C5	FUKUNAGA, et al. (1997) EMBO J. 16(8):1921-1933.	
	C6	GRIGGS et al., (2001) <i>Lancet Oncol.</i> 2:82	
	C7	GROZINGER, et al. (1999) Proc. Natl. Acad Sci USA 96:4868-4873	

RECEIVED
JUL 22 2003
TECH CENTER 1600/2000



FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 09/849,602	ATTY. DOCKET NO.: L00461.70105.US
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: May 4, 2001	CONFIRMATION NO.: 8884
				APPLICANT: Yao-Tseng Chen, et al.	
Sheet	2	of	2	GROUP ART UNIT: 1631	EXAMINER: Cheyne D. Ly

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C8	HARLOW, et al. (1985) Molecular & Cell Biol. 5(7):1601-1610.	
	C9	HENDRICH, et al. (1998) Molecular & Cell Biol. 18(11):6538-6547.	
	C10	KIM, et al. (1999) Molecular & Cell Biol. 19(9):6323-6332.	
	C11	KIM, et al. (1997) Biochim Biophys Acta Dec 12;1359(3):181-6	
	C12	KUNKEL, (1985) Proc. Nat. Acad. Sci. U.S.A. 82: 488-492	
	C13	MACBEATH et al., (2000) "Printing Proteins as Microarrays for High-Throughput Function Determination," Science 289(5485):1760-1763	
	C14	ROSEN, Oncologist 5:20, 2000	
	C15	SAHIN et al. Proc. Natl. Acad. Sci. USA 92:11810-11813, 1995	
	C16	SCANLAN, et al., Int. J. Cancer 76:652-658 (1998)	
	C17	SCANLAN, et al., Int. J. Cancer 83:456-64, (1999)	
	C18	THE CHIPPING FORECAST, Nature Genetics, Vol.21, Jan 1999	

RECEIVED

JUL 23 2003

TECH CENTER 1600/2900

EXAMINER	DATE CONSIDERED
----------	-----------------

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]